

MAR 07 2007

<u>Certificate of Facsimile</u>		
I hereby certify that this correspondence is being facsimile-transmitted to the Commissioner for Patents and Trademarks at 571-273-8300 on the below date:		
Date: <u>March 7, 2007</u>	Name: <u>Carolin Beeson-Wright</u>	Signature: <u>Carolin Beeson-Wright</u>

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appn. of: Thomas A. Osborne

Appn. No.: 10/581,330

Filed: June 1, 2006

For: INTRODUCER SHEATH AND METHOD
FOR MAKING

Attorney Docket No: 8627/1247 (PA-5573-PCT/US)

Examiner: Unknown

Art Unit: Unknown

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- Response to Notification of Missing Requirements; Declaration; Power of Attorney; (9 pages including transmittal)

- Return Receipt Postcard

Fee calculation:

- No additional fee is required.
 Small Entity.

- An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or surcharge in an amount of \$130.00 under 37 C.F.R. § 1.16(a).

- An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	or	Rate
Total		Minus			x \$25=		x \$50=	
Indep.		Minus			x 100=		x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=		+\$360=	
					Total	\$	Total	\$

Fee payment:

- A check in the amount of \$_____ to cover the above-identified fee(s) is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$130.00. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

March 7, 2007

Respectfully submitted,

Lawrence A. Steward (Reg. No. 32,309)

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I hereby certify that this correspondence is being facsimile-transmitted to the Commissioner for Patents and Trademarks at 571-273-8300 on March 7, 2007.

Carolyn Beason-Wright

Case No. 8627/1247 (PA-5573-PCT/US)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Thomas A. Osborne

Serial No.: 10/581,330

Attention: Manager,
Application Branch

Filed: June 1, 2006

For: INTRODUCER SHEATH AND
METHOD FOR MAKING

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US)**

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated February 12, 2007, a copy of which is attached, enclosed herewith for filing are the following documents:

- Fully executed Declaration for Patent Application for the above-referenced patent application.
- Fully executed Power of Attorney for the above-referenced patent application.

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Serial No.: 10/581,330

Filing Date: June 1, 2006

 Applicant: claims small entity status. See 37 CFR 1.27. is other than small entity Fees totaling \$130.00 for: Filing Fee of \$ _____. Surcharge of \$130.00. Additional Claim Fees of \$ _____. Search Fee of \$ _____. Examination Fee of \$ _____. Extension of Time Fee of \$ _____. Application Size Fee (for each additional 50 sheets that exceeds 100 sheets, including specification and drawings) of \$ _____. Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate). Other: _____. The Commissioner is hereby authorized to charge the above fees or credit overpayment to Deposit Account No. 23-1925 in accordance with the attached Transmittal Sheet.

Respectfully submitted,

Dated:

March 7, 2007


Lawrence A. Steward
Registration No. 32,309
Attotney for Applicant(s)

BRINKS HOFER GILSON & LIONE
CUSTOMER NO. 48004
317-636-0886

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1430
 Alexandria, Virginia 22313-1430
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/581,330	Thomas A. Osborne	86271247PA5573PCTUS
		INTERNATIONAL APPLICATION NO.
		PCT/US05/25188
48004 BRINKS HOFER GILSON & LIONE/INDY/COOK ONE INDIANA SQUARE SUITE 1800 INDIANAPOLIS, IN 46204-2033		I.A. FILING DATE PRIORITY DATE
		07/15/2005 07/21/2004
CONFIRMATION NO. 3188		
371 FORMALITIES LETTER		
 OC000000022394750		

Date Mailed: 02/12/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IBO to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/01/2006
- Copy of the International Search Report filed on 06/01/2006
- Copy of IPE Report filed on 06/01/2006
- Information Disclosure Statements filed on 06/01/2006
- Oath or Declaration filed on 06/01/2006
- U.S. Basic National Fees filed on 06/01/2006
- Priority Documents filed on 06/01/2006

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPP.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHARJTTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/581,330	PCT/US05/25188	86271247PA5573PCTUS

FORM PCT/DO/EO/905 (371 Formalities Notice)